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**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

DAVID PHILLIPS, Individually and on  
Behalf of All Others Similarly Situated,  
Plaintiff,  
v.  
FITBIT, INC., JAMES PARK, STEVEN J.  
MURRAY, ERIC N. FRIEDMAN,  
CHRISTOPHER B. PAISLEY, GLENDA  
J. FLANAGAN, LAURA J. ALBER,  
BRADLEY M. FLUEGEL and  
MATTHEW BROMBERG,  
Defendants.  
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**NOTICE OF VOLUNTARY  
DISMISSAL**  
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In accordance with Federal Rule of Civil Procedure 41(a)(1)(A)(i), Plaintiff David Phillips (“Plaintiff”), by counsel, hereby gives notice that he is dismissing all claims in the above-referenced matter, with prejudice to Plaintiff and without prejudice as to all others similarly situated. Because this notice of dismissal is being filed with the Court before service by defendants of either an answer or a motion for summary judgment, Plaintiff’s dismissal of the Action is effective upon the filing of this notice.

DATED: February 25, 2020

Respectfully submitted,

FARUQI & FARUQI, LLP

## OF COUNSEL:

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